

AN ORDINANCE 2006-06-29-0830

APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF \$2,535,368.00 TO INCLUDE AWARDING A \$2,278,105.00 CONTRACT WITH JERDON ENTERPRISE, LP TO COMPLETE PHASE I OF THE REHABILITATION CONSTRUCTION IN CONNECTION WITH THE MARKET SQUARE REHABILITATION PHASE I PROJECT; AND APPROPRIATING FUNDS.

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WHEREAS, funds were approved in the 1999-2004 General Obligation Program and 2002 Certificates of Obligation for the Market Square Rehabilitation Phase I Project; and

WHEREAS, this project will begin implementation of the first phase recommendations from the Market Square Master Plan and Design Guidelines; and

WHEREAS, improvements will address drainage, utilities, Americans with Disabilities Act (ADA) accessibility and will provide for storm sewer replacement, paving replacement, lighting, and landscaping will be jointly bid with San Antonio Water System (SAWS) and City Public Service Energy (CPSE); and

WHEREAS, work for this phase will encompass Produce Row from Santa Rosa Street to Concho Street and along Concho Street from Dolorosa Street to Produce Row while future phases will include the perimeter walkways and other improvements, which will be scheduled when funding becomes available; and

WHEREAS, K. M. Ng and Associates, Inc. has completed the engineering services associated with the project; and

WHEREAS, the construction bid was advertised the first, second, and third week of April 2006 in the San Antonio Informer and La Prensa De San Antonio; and

WHEREAS, only one bid was received and that was from Jerdon Enterprise, LP, a SBE/DBE/WBE firm, with a qualified base bid of \$2,060,105.00, and bid alternates 1, 2A, 2B, 3A, and 3B for a total of \$2,278,105.00; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The low qualified bid consisting of the base bid amount of \$2,060,105.00, with bid alternate 1 of \$95,000.00, bid alternate 2A of \$100,000.00, bid alternate 2B of \$14,000.00, bid alternate 3A of \$7,000.00, and bid alternate 3B of \$2,000.00, for a total contract amount of

\$2,278,105.00 from Jerdon Enterprise, LP for capital improvements as part of the Market Square Rehabilitation Phase I Project is hereby accepted. A copy of the contractor's bid is attached hereto and incorporated herein for all purposes as Attachment I. All funds necessary for the carrying out of this project are hereby appropriated and authorized to be spent in accordance with the budget attached hereto and incorporated herein for all purposes as Attachment II, and as further indicated in the sections below. All other bids received in connection with the Market Square Rehabilitation Phase I Project will be deemed rejected upon the occurrence of either the execution of a contract by the low qualified bidder and the deposit of all required bonds and insurance certificates, or the expiration of sixty (60) days from the effective date of this Ordinance, whichever occurs first. The City Manager or her designee or the Director of Public Works is hereby authorized to execute a standard form Public Works construction contract for the job, which is attached hereto and incorporated herein for all purpose as Attachment III

SECTION 2. The amount of \$297,144.00 is appropriated in fund 29604001, Market Square Improvements Trust Fund, Internal Order # 390000000426 GL account 6102100 – Interfund Transfer out entitled Transfer to Fund 45099000. The amount of \$297,144.00 is authorized to be transferred to fund 45099000.

SECTION 3. The budget in fund 45099000, Project Definition 26-00084, Market Square Rehabilitation Phase I, shall be revised by increasing WBS element 26-00084-90-01 entitled Trf Fr I/O # 390000000426, GL account 6101100 – Interfund Transfer In, by the amount of \$297,144.00.

SECTION 4. The amount of \$100,000.00 is appropriated in fund 29027000, Special Revenue Reserve Fund, Internal Order # 390000000438 GL account 6102100 – Interfund Transfer out entitled Transfer to Fund 45099000. The amount of \$100,000.00 is authorized to be transferred to fund 45099000.

SECTION 5. The budget in fund 45099000, Project Definition 26-00084, Market Square Rehabilitation Phase I, shall be revised by increasing WBS element 26-00084-90-02 entitled Trf Fr I/O # 390000000438, GL account 6101100 – Interfund Transfer In, by the amount of \$100,000.00.

SECTION 6. The amount of \$367,737.00 is appropriated in fund 45973000, 1999 Street Improvements - 2002, WBS GO-00069-01-01-29 GL account 6102100 – Interfund Transfer out entitled Transfer to 26-00084-90-03. The amount of \$367,737.00 is authorized to be transferred to fund 45099000.

SECTION 7. The budget in fund 45099000, Project Definition 26-00084, Market Square Rehabilitation Phase I, shall be revised by increasing WBS element 26-00084-90-03 entitled Trf Fr GO-00069-01-01-29, GL account 6101100 – Interfund Transfer In, by the amount of \$367,737.00.

SECTION 8. The amount of \$500,000.00 is appropriated in fund 43182000, 2002 Park Improvements, WBS CO-00032-01-01-03 GL account 6102100 – Interfund Transfer out entitled Transfer to 26-00084-90-04. The amount of \$500,000.00 is authorized to be transferred to fund 45099000.

SECTION 9. The budget in fund 45099000, Project Definition 26-00084, Market Square Rehabilitation Phase I, shall be revised by increasing WBS element 26-00084-90-04 entitled Trf Fr CO-00032-01-01-03, GL account 6101100 – Interfund Transfer In, by the amount of \$500,000.00.

SECTION 10. The amount of \$700,000.00 is appropriated in fund 45983000, 1999 Park Improvements - 2002, WBS GO-00073-01-01-09 GL account 6102100 – Interfund Transfer out entitled Transfer to 26-00084-90-05. The amount of \$700,000.00 is authorized to be transferred to fund 45099000.

SECTION 11. The budget in fund 45099000, Project Definition 26-00084, Market Square Rehabilitation Phase I, shall be revised by increasing WBS element 26-00084-90-05 entitled Trf Fr GO-00073-01-01-09, GL account 6101100 – Interfund Transfer In, by the amount of \$700,000.00.

SECTION 12. The amount of \$438,224.00 is appropriated in fund 45804000, 2003 Park Bonds, WBS GO-00047-01-01-64 GL account 6102100 – Interfund Transfer out entitled Transfer to 26-00084-90-06. The amount of \$438,224.00 is authorized to be transferred to fund 45099000.

SECTION 13. The budget in fund 45099000, Project Definition 26-00084, Market Square Rehabilitation Phase I, shall be revised by increasing WBS element 26-00084-90-06 entitled Trf Fr GO-00047-01-01-649, GL account 6101100 – Interfund Transfer In, by the amount of \$438,224.00.

SECTION 14. The amount of \$20,000.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 26-00084, Market Square Rehabilitation Phase I, WBS element 26-00084-01-19-02, entitled Engineering Contingency, G/L Account 5201170, and is authorized to be encumbered and made payable for engineering contingencies.

SECTION 15. The amount of \$2,000.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 26-00084, Market Square Rehabilitation Phase I, WBS element 26-00084-01-10, entitled Bid Advertising / Printing, G/L Account 5201040, and is authorized to be encumbered and made payable for advertising.

SECTION 16. The amount of \$2,000.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 26-00084, Market Square Rehabilitation Phase I, WBS element 26-00084-05-08-01, entitled Mandatory Project Fees, G/L Account 5201140, and is authorized to be encumbered and made payable for mandatory project fees.

SECTION 17. The amount of \$2,278,105.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 26-00084, Market Square Rehabilitation Phase I, WBS element 26-00084-05-08, entitled Construction Contract, G/L Account 5201140, and is authorized to be encumbered and made payable to Jerdon Enterprise, LP for construction services.

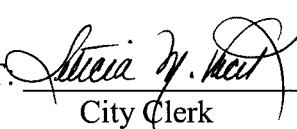
SECTION 18. The amount of \$101,000.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 26-00084, Market Square Rehabilitation Phase I, WBS element 26-00084-05-07, entitled Construction Contingency, G/L Account 5201140, and is authorized to be encumbered and made payable for construction contingencies.

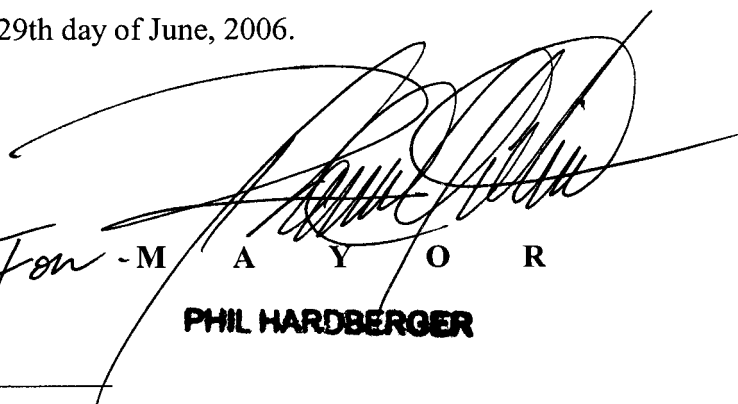
SECTION 19. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 20. This ordinance shall be effective on and after July 9, 2006.

PASSED AND APPROVED this 29th day of June, 2006.

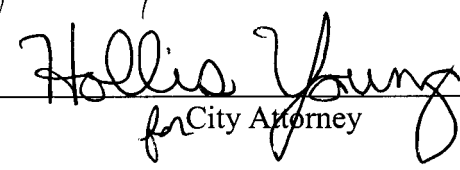
ATTEST:


City Clerk


For - M A Y O R

PHIL HARDBERGER

APPROVED AS TO FORM:


for City Attorney

Agenda voting Results

Name: 22

Date: 06/29/06

Time: 07:21:06 PM

Vote Type: Multiple selection

Description: An Ordinance approving a total construction project amount of \$2,535,368.00 to include awarding a \$2,278,105.00 contract with Jerdon Enterprises, LP to complete phase I of the rehabilitation construction in connection with the Market Square Rehabilitation Phase I Project; and appropriating funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2	Not present			
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR	Not present			